



Order Filed on September 16, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

**Caption in Compliance with
D.N.J.LBR 9004-1**

STEWART LEGAL GROUP, P.L.
Formed in the State of Florida
Gavin N. Stewart, Esq.
Of Counsel to Bonial & Associates, P.C.
401 East Jackson Street, Suite 2340
Tampa, FL 33602
Tel: 813-371-1231/Fax: 813-371-1232
E-mail: gavin@stewartlegalgroup.com
Attorney for Creditor

In re:

Craig S. Gallen
Carolyn Gallen
aka Carolyn Taylor

Debtors.

Chapter 13

Case No. 19-22703-CMG

Hearing Date: September 16, 2020

Judge Christine M. Gravelle

CONSENT ORDER RESOLVING MOTION TO VACATE AUTOMATIC STAY

The relief set forth on the following page is hereby **ORDERED**.

DATED: September 16, 2020



Honorable Christine M. Gravelle
United States Bankruptcy Judge

Debtor: Craig S. Gallen and Carolyn Gallen
Case No.: 19-22703-CMG
Caption of Order: **CONSENT ORDER RESOLVING MOTION TO
VACATE AUTOMATIC STAY**

THIS MATTER having been opened to the Court upon the Motion to Vacate Automatic Stay (“Motion”) filed by Specialized Loan Servicing LLC as servicing agent for U.S. Bank National Association, as Trustee, successor in interest to Bank of America, National Association, as Trustee, successor by merger to LaSalle Bank National Association, as Trustee for Morgan Stanley Mortgage Loan Trust 2007-1XS (“Creditor”), and whereas the post-petition arrearage was \$19,837.16 as of September 8, 2020, and whereas the Debtor and Creditor seek to resolve the Motion, it is hereby **ORDERED**:

1. The Chapter 13 Trustee shall pay the post-petition arrearage above, \$19,837.16, to Creditor through the Chapter 13 Plan.

2. The automatic stay provided under 11 U.S.C. §362(a) shall remain in effect as to Creditor’s interest in the following property: **28 Ivanhoe Drive, Manalapan, New Jersey 07726** (“Property”) provided that the Debtor complies with the following:

- a. The Debtor shall resume making the regular contractual monthly payments directly to Creditor as each becomes due, beginning with the October 1, 2020 payment and continuing thereon per the terms of the underlying loan; and
- b. Remain current on all post-petition payment obligations, as well as all payments to be paid through the Chapter 13 Plan.

3. The Debtor will be in default under the Consent Order in the event that the Debtor fails to comply with the payment terms and conditions set forth in above Paragraph and/or if the Debtor fails to make any payment due to Creditor under the Chapter 13 Plan.

4. If the Debtor fails to cure the default within thirty (30) days from the date of default, Creditor may submit a Certificate of Default to the Court on fourteen (14) days' notice to counsel for Debtor and the Chapter 13 Trustee for an order lifting the automatic stay imposed under 11 U.S.C. §362(a) permitting Creditor to exercise any rights under the loan documents with respect to the Property.

5. Creditor is awarded reimbursement of attorney fees and costs in the amount of \$350.00 and \$181.00, respectfully to be paid through the Chapter 13 Plan.

STIPULATED AND AGREED:

/s/Scott D. Sherman
Scott D. Sherman, Esq.
Minion & Sherman
33 Clinton Road, Suite 105
West Caldwell, NJ 07006
Counsel to Debtor

/s/ Gavin N. Stewart
Gavin N. Stewart, Esq.
Stewart Legal Group, P.L.
401 East Jackson Street, Suite 2340
Tampa, FL 33602
Counsel to Creditor

Certificate of Notice Page 4 of 4

United States Bankruptcy Court
District of New Jersey

In re:
Craig S Gallen
Carolyn Gallen
Debtors

Case No. 19-22703-CMG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Sep 16, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 18, 2020.

db/jdb +Craig S Gallen, Carolyn Gallen, 28 Ivanhoe Drive, Manalapan, NJ 07726-1717

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 18, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 16, 2020 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Denise E. Carlon on behalf of Creditor U.S Bank National Association, as Trustee, Successor
in interest to Bank of America ET AL... dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Gavin Stewart on behalf of Creditor Specialized Loan Servicing LLC bk@stewartlegalgroup.com
John R. Morton, Jr. on behalf of Creditor Ford Motor Credit Company LLC., servicer for CAB
EAST LLC ecfmail@mortoncraig.com, mortoncraigecf@gmail.com
Kevin Gordon McDonald on behalf of Creditor U.S Bank National Association, as Trustee,
Successor in interest to Bank of America ET AL... kmcdonald@kmlawgroup.com,
bkgroup@kmlawgroup.com
Kevin Gordon McDonald on behalf of Creditor Toyota Lease Trust kmcdonald@kmlawgroup.com,
bkgroup@kmlawgroup.com
Scott D. Sherman on behalf of Joint Debtor Carolyn Gallen ssherman@minionsherman.com
Scott D. Sherman on behalf of Debtor Craig S Gallen ssherman@minionsherman.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9